



Patent Application
Docket No. 47097-00026

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9-8-00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:) Group Art Unit: 3713
DelDuca et al)
Serial No.: 09/384,517) Examiner: J. Kasick
Filed: August 27, 1999) Atty. Docket No.: 47097-00026
For: Modified Atmosphere Package

To the Honorable Assistant Commissioner
for Patents
Washington, D.C. 20231

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited postage paid with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231	
<u>8-23-00</u> Date	<u><i>[Signature]</i></u> Signature

09/06/2000 KBUTLER 00000001 100447 09384517
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Dear Sir:

TERMINAL DISCLAIMER

Petitioner, Pactiv Corporation, is the owner of the entire right, title and interest in and to the invention claimed and disclosed in the above-captioned patent application by virtue of assignment and change of name.

The Petitioner hereby disclaims the terminal part of any patent granted on the above-captioned application, which would extend beyond the expiration date of the full statutory term as presently shortened by any terminal disclaimer of prior patents:

Patent No.	Issue Date
5,698,250	December 16, 1997
5,811,142	September 22, 1998
5,948,457	September 7, 1999

The Petitioner hereby agrees that any patent so granted on said above-captioned application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to the above-listed patents. This agreement runs with any patent granted on the above-captioned application and is binding upon the grantee, its successors or assigns.

The Petitioner does not disclaim any terminal part of any patent granted on the above-captioned application that would extend to the full statutory term as presently shortened by any terminal disclaimer of the above-listed patents in the event that any said issued patent later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

I certify that I have reviewed documents in the chain of title of the patent application identified above, and that to the best of my knowledge and belief title is in the above-noted assignee. A copy of the Request for Name Change to Pactiv Corporation and pertaining documents, which has been submitted under separate cover for recordation, is enclosed herewith.

I, the undersigned, am an attorney of record.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so

made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

JENKENS & GILCHRIST,
A Professional Corporation

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